

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Application Under 37 CFR § 1.53(b))

Attorney Docket No.
50325-0807

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, IAN MICHAEL CHARLES SHAND, entitled METHOD AND APPARATUS FOR FORWARDING A TUNNELED PACKET IN A DATA COMMUNICATIONS NETWORK, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____.

() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification 31 Total Pages; (X) Drawing(s) 12 Total Sheets; (X) Cover Sheet 1 Page(X) Oath or Declaration: 2 Pages

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. () Unsigned. () Partially Signed.

() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference in its entirety for all purposes.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

() Power of Attorney.

(X) Return Receipt Postcard.

() Associate Power of Attorney.

(X) A Check in the amount of \$ 1898.00 for the Filing Fee.

() Preliminary Amendment.

() Information Disclosure Statement and Form PTO-1449.

(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

(X) A Duplicate Copy of this Form for Processing any Deficiency or Overpayment of Fee Against Deposit Account.

() A Certified Copy of Priority Documents (if foreign priority is claimed).

() Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

(X) Recordation of Assignment Cover Sheet and executed Assignment.

(X) Other: Fee Transmittal for FY 2003

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	52	32	\$18.00	\$ 576.00
Independent Claims	6	3	\$84.00	\$ 252.00
Multiple Dependent Claims (if applicable)				\$ 280.00
Assignment Recording Fee				\$ 40.00
Basic Filing Fee				\$ 750.00
Total Filing Fee				\$1898.00

Charge \$ _____ to Deposit Account _____ pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Christopher J. PalermoChristopher J. Palermo
Attorney of Record, Reg. No. 42,056

Date: July 15, 2003

Correspondence Address:



29989

PATENT TRADEMARK OFFICE

Express Mail Label No.: EV323354614US

Date of Deposit: July 15, 2003

19704 U.S. PTO
10/620866
07/15/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin:0;">FEE TRANSMITTAL</h1> <h2 style="margin:0;">for FY 2003</h2> <p style="margin:0; font-size: small;">Patent fees are subject to annual revision, Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</p>		Complete if Known																																																																																																																																																																																				
		Application Number	Not Yet Assigned																																																																																																																																																																																			
		Filing Date	Herewith																																																																																																																																																																																			
		First Named Inventor	Ian Michael Charles Shand																																																																																																																																																																																			
		Examiner Name	Not Yet Assigned																																																																																																																																																																																			
		Group/Art Unit	Not Yet Assigned																																																																																																																																																																																			
TOTAL AMOUNT OF PAYMENT		(\$)	1898.00																																																																																																																																																																																			
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.</p> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Deposit Account Number: 50-1302</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Deposit Account Name: Hickman Palermo Truong & Becker, LLP</div> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"><input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</div> <p>3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th rowspan="2">Fee Description</th><th rowspan="2">Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee \$</th><th>Fee Code</th><th>Fee \$</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="4" style="border-top: 1px solid black;">*Reduced by Basic Filing Fee Paid</td><td style="border-top: 1px solid black;">SUBTOTAL (3)</td><td style="border-top: 1px solid black;">(\$)</td><td style="border-top: 1px solid black;">40.00</td></tr></tbody></table>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee \$	Fee Code	Fee \$	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$)	40.00
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																	
Fee Code	Fee \$	Fee Code	Fee \$																																																																																																																																																																																			
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																		
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																		
1053	130	1053	130	Non-English specification																																																																																																																																																																																		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																		
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																		
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																		
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																		
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																		
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																		
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																		
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																		
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																		
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																		
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																		
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																		
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																		
1502	470	2502	235	Design issue fee																																																																																																																																																																																		
1503	630	2503	315	Plant issue fee																																																																																																																																																																																		
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																		
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																																		
1806	180	1806	180	Submission of information Disclosure Stmt																																																																																																																																																																																		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																		
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																		
Other fee (specify) _____																																																																																																																																																																																						
Other fee (specify) _____																																																																																																																																																																																						
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$)	40.00																																																																																																																																																																																

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Christopher J. Palermo	Registration No. (Attorney/Agent)	42,056
Signature		Telephone	(408) 414-1080
		Date	July 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Expr ss Mail No. EV323354614US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Ian Michael Charles Shand
	Title	METHOD AND APPARATUS FOR FORWARDING A TUNNELED PACKET IN A DATA COMMUNICATIONS NETWORK	
	Atty. Docket Number		50325-0807

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 15, 2003



Christopher J. Palermo
Reg. No. 42,056

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Patent Applications, Commissioner for Patents, Washington, DC 20231**

Express Mail No. EV323354614US